

AGENDA

FOR THE REGULAR MEETING OF THE CITY COUNCIL

FOR THE CITY OF THORNE BAY, ALASKA

COUNCIL CHAMBERS OF CITY HALL

120 FREEMAN DRIVE

Tuesday June 4, 2019

6:30 p.m.

The meeting will be preceded by a workshop beginning at 6:00 p.m. The public is invited and encouraged to attend

1. CALL TO ORDER:

2. PLEDGE TO FLAG:

3. ROLL CALL:

4. APPROVAL OF AGENDA:

5. MAYOR'S REPORT:

6. ADMINISTRATIVE REPORTS:

a. City Administrator's Report:

b. City Clerk Report:

7. PUBLIC COMMENTS:

8. COUNCIL COMMENTS:

9. CONSENT AGENDA:

a. **MINUTES:**

i. Minutes of the May 14, 2019, Regular City Council Meeting, discussion and action item:

10. NEW BUSINESS:

a) Resolution 19-06-04-01, Supporting the Rural Utility APT Power Extension to Greentree Heights, discussion and action item:

b) Resolution 19-06-04-02, Authorizing Davidson Landing to serve as an absentee voting location for Local Municipal Elections, discussion and action:

11. **ORDINANCE FOR INTRODUCTION:**

- a) **Ordinance 19-06-18-01**, approving the City of Thorne Bay Budget for the Fiscal Year 2020, discussion and action item:

12. **ORDINANCE FOR PUBLIC HEARING:**

13. **EXPENDITURES EXCEEDING \$2,000.00:**

- a) **Authorizing an expenditure exceeding \$2,352.00, to Organized Village of Kasaan for road grading, discussion and action item:**

14. **EXECUTIVE SESSION:** The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.

- a. **The City Council may adjourn to executive session to consult with the City Attorney on legal matters, action item:**

15. **CONTINUATION OF PUBLIC COMMENT:**

16. **CONTINUATION OF COUNCIL COMMENT:**

17. **ADJOURNMENT:**

POSTED: May 31, 2019

City Hall, AP Market, the Port, USFS, SISD & Thorne Bay School, Riptide Liquor

City Website: www.thornebay-ak.gov

MINUTES

FOR THE SPECIAL MEETING OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY, ALASKA
COUNCIL CHAMBERS OF CITY HALL
120 FREEMAN DRIVE
Tuesday May 14, 2019
6:30 p.m.

The meeting was preceded by a workshop that began at 6:00 p.m.

1. CALL TO ORDER:

Mayor McDonald called the meeting to order at 6:30 p.m.

2. PLEDGE TO FLAG:

The council and audience stood for the pledge to the flag.

3. ROLL CALL:

Those present were: McDonald, Burger, Edenfield and Williams

Those attending by phone: Carlson

Those Excused: Slayton

4. APPROVAL OF AGENDA:

McDonald moved to approve the agenda. Williams seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda

F/S: McDonald/Williams

YEAS: Carlson, Burger, McDonald, Edenfield & Williams

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Mayor McDonald reported the following:

- McDonald gone the 29th, returning on the 5th of June.
- IFA Manager – in the process of hiring.
- Governor had been cutting the funds out of the States FY20 Budget to the IFA which had historically been approved. As of May 14, 2019, The funds for IFA were back on the budget, and we will be watching to see if they stay
- IFA plan was always to pay for itself from the fare box... Unfortunately we have only met 80% of that. If we do not get the additional funding we will have to look at how to make it up.

6. ADMINISTRATIVE REPORTS:

c. **City Administrator's Report:**

Administrator read the Admin Report for May 14th, 2019:.

Meetings Attended and Updates:

- A. My first report in some time. What a pleasure of being out of pain except what I inflect with my exercise routine. Will be gone in June for a quick checkup.
- B. POWCAC meeting is May 28
- C. Next council meeting is May 21st and that is also graduation day. May want to consider cancellation until June meeting or set another date, but keep in mind there are other events Wednesday and Thursday of that week at school.
- D. Spent yesterday trying to testify in a legislature committee that is considering landline phone deregulation. Ironic that no one on POW could call in on the 800 number.

Tasks and Projects:

- A. Had the preconstruction meeting for the water and sewer upgrades and the contractor was on site today bring more supplies. He is busy submitting drawings to VSW for approval of all the manufactured parts. We can expect more equipment and parts to start arriving.
- B. The wire tie parts for the baler have been installed and some additional parts arrived for Max to install. The baler can be operated very slowly manually but the electronic controls still need to be fixed.

- C. The excavator had the new parts installed but now there are issues with the electronics, and we think the computer needs resetting after the new parts were installed.
- D. Working with legal counsel on road questions including the Hendrix issue who is challenging the City authority to administer how right-of-way can be used.
- E. And yes, Teri has started budget preparation of FY 20. Since the legislature is still in session may be a while before there are good number for the state funds the city receives.

Continuing Business

- A. Nomination and Appointment to fill the vacant council seat----Teri has laid out the process for nominations and voting.
- B. Appointment of Code Enforcement Officer-----Teri has been working hard to make this happen and I am reviewing some proposed code changes that are part of this program. After appointment we will work on policies and job description to administer this program. We should have this information to the council at the June 4th meeting.
- C. Approval of Rental Agreement with Tongass Credit Union for Unit A----this agreement is the basic city rental agreement
- D. Approval of Rental Agreement with SEARHC for Unit B----Again basic agreement and SEARHC has now been open using the new space the last two Fridays and all seems to be going as they planned.
- E. Authorizing the use of the City Ballfield for an adult softball league----great to see some organized use of the ball field.
- F. Authorizing the donation of cash or prizes for Kids Fishing Day----annual event that the city contributes to.

Ordinances for Public Hearing:

- A. Ordinance 19-05-07-01 amending Title 13 is updating the utility codes per court requirements for enforcement

Expenditures over \$2,000 :

- A. \$3875 is FYI as it is the normal purchase of chemicals for Sewer operations
- B. \$3,365 was for the additional work in remodeling the old clinic area making two units. This was for additional electrical not expected, capping off old plumbing and covering the entrance ramp to the clinic

Department Reports:

Harbors and Parks:

First tour boat coming Thursday morning. Harbor slips are filling up fast and Ron is putting names on slips this year. Parking plan is slowly taking shape

Streets and Roads:

James is mowing the grass along the roads in town. Trying to get a sweeper rented to sweep the pavement.

Water and Sewer:

Sam and Dave are working to get the water treatment and sewage disposal areas prepared for the upcoming construction. Hope to start more sewer manhole work by first part of June.

Solid Waste:

Discount dump day is this Sat from 9 to 3. Business has been very slow the last few weeks with people waiting for this Saturday.

Law Enforcement:

Sent e-mail to VPSO program to see if any progress has been made toward a VPSO for Thorne Bay.

FIRE/EMS:

Trying to set meeting with the City of Klawock to evaluate how our agreement is working.

Library:

There are plans for the first part of June to do some remodel work in the restroom. Work that was planned a year ago before Shane resigned. Also getting an estimate to insulate around the bottom which hopefully may reduce the pipe freezing every winter.

City Clerk Report:

No Report given

7. PUBLIC COMMENTS:

Brad Clark: Commented on the following:

- A. Inquired when the City Council would be appointing a Planning Commission. Continued that the applications for appointment have been in the City's possession and the public continues to be told future dates.
- B. Stated there had been a number of items the Planning Commission should have and could have acted upon over the last few months had the City moved forward with the Appointment
- C. Asked that Seat C on the City Council be filled by either Eric Rhodes or Rodger Longbothom... They have been at every City Council Meeting. Are responsible and prepared to lead.

Sean Kaer: Commented on the following:

- A. Commented on an issue he is dealing with regarding State Land Easements, Wetlands and Road Use. Stated he would like to see the issue resolved.
- B. Requested the council appoint an applicant from the Southside of Thorne Bay to fill the vacant Seat C.

Dan Romey: Commented on the following:

- A. Questioned if the Water and Wastewater Treatment Plant upgrades were being managed by Village Safe Water

8. COUNCIL COMMENTS:

Lee Burger Commented on the following:

- A. Annual Fishing Derby will begin on the 4th of July and end on Labor Day.
- B. There will be a kick-off potato feed for the derby happening on June 28th the Friday prior to July 4th Derby opening. Derby will bring potatoes, and guests bring the toppings. Prior years there was a pretty good event of approximately 100 people in attendance.

Harvey McDonald Commented on the following:

- A. Requested the City Council join him on Saturday, May 18th, for the City Council's mile cleanup between milepost 5 & 6.

9. CONSENT AGENDA:

a. MINUTES:

- ii. Minutes of the April 16, 2019, Regular City Council Meeting, discussion and action item:

McDonald moved to approve the minutes for the April 16th, 2019, City Council Meeting. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve the minutes for the April 16th, 2019, City Council Meeting
F/S: McDonald/Edenfield
YEAS: Carlson, Burger, McDonald, Edenfield and Williams
NAYS: None
STATUS: Motion Passed.

10. NEW BUSINESS:

- a. Nominations & Appointment of a qualified registered voter to serve on the City Council Seat C until the October 2019 Certification of Election, discussion and action item:

THORNE BAY CITIZENS WHO HAVE SUBMITTED APPLICATIONS TO FILL THE VACANT COUNCIL SEAT

1. Eric Rhodes
2. Victoria Anderson
3. Roger Longbotham
4. ~~Teri Willard~~ (Removed her name during the City Workshop prior to the opening of the May 14th Special Council Meeting)
5. Mark Minnillo
6. Jim Nieland

Carlson nominated Eric Rhodes. Williams seconded the nomination. Williams nominated Mark Minnillo. Edenfield seconded the motion. Burger close nominations. Mayor McDonald explained two candidates

1st MOTION: Move to appoint Eric Rhodes to Council Seat C.

MOTION: Move to appoint Eric Rhodes to Council Seat C
F/S: Carlson/Williams
YEAS: Carlson
NAYS: McDonald, Williams, Edenfield, Burger
STATUS: Motion Failed

2nd MOTION: Move to appoint Mark Minnillo to City Council Seat C, term Expires upon certification of the next Municipal General Election, October 2019.

MOTION: Move to appoint Mark Minnillo to City Council Seat C
F/S: Williams/Edenfield
YEAS: Carlson, Burger, McDonald, Edenfield, and Williams
NAYS: None
STATUS: Motion Passed

Mark Minnillo took his Oath of Office and was seated to Council Seat C. There was a question regarding the point of order on the vote for Eric Rhodes. It was stated that Roberts Rules say if you second a motion, you must vote in favor of that motion. Williams stated he would withdrawal his second.

b. Appointment of Code Enforcement Officer to enforce the Municipal Laws of Thorne Bay, discussion and action item:

Burger nominated Robert Hartwell. Williams seconded the motion. Williams inquired if the Job Description would be available for the June 4th meeting so Mr. Hartwell may have time to withdraw if he did not agree with the duties. Williams requested that compensation for the Code Enforcement Officer be considered at the June meeting with the Job description as this job has quite a few duties. There was further discussion.

MOTION: Move to nominate Robert Hartwell for Code Enforcement Officer
F/S: Burger/Williams
YEAS: McDonald, Williams, Edenfield, Burger and Carlson
NAYS: None
STATUS: Motion Passed.

c. Approval of Rental Agreement between the City of Thorne Bay and Tongass Federal Credit Union, discussion and action item:

McDonald moved to approve Agreement with TFCU. Williams seconded the motion. Minnillo inquired where the City got the rental rate for the TFCU building. City Administrator explained that the estimated utility costs, and the \$10 came up from the discussions with Helen Mickel of TFCU. Minnillo inquired if it was another business that needed the space if they would receive the \$10 rental rate? Wayne explained this was beginning, and the rate could be discussed at the renewal. Williams stated he was in agreement with Minnillo's concerns.

McDonald amended the motion to increase the rental rate to \$100.00. Williams amended his motion to include the increased rate of \$100.00. There was further discussion.

MOTION: Move to approve the Rental Agreement between the City and Tongass Federal Credit Union with a rental rate of \$100 per month plus utilities
F/S: McDonald/Williams
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

d. Approval of Rental Agreement between the City of Thorne Bay and SEARHC Clinic, discussion and action item:

McDonald moved to approve the Rental Agreement between the City and SEARHC. Burger seconded the motion. There was discussion regarding the days of operation for SEARHC. SEARHC was currently going to be open on Fridays and will re-evaluate their number of visits in the future. They are hoping to increase their presence in Thorne Bay.

MOTION: Approve Rental Agreement between the City and SEARHC
F/S: McDonald/Burger
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

e. Authorizing the use of the City Ballfield for Adult Cord Softball League, discussion and action item:

McDonald moved to accept the request for use of the Ballfield. Minnillo seconded the motion.

Korissa Oatman – Stated she was interested in beginning a Softball league in Thorne Bay and would like to use the equipment that is up there. Mrs. Oatman requested that the City provide maintenance of the ballfield such as mowing of the ballfield itself. Minnillo inquired if they City would provide the maintenance of the ballfield. City Administrator replied that was done during the summer.

Minnillo stated the City needed to get an inventory of the equipment so there is record of what was up there. There was further discussion.

MOTION: Move to accept the request for use of the Ballfield
F/S: McDonald/Minnillo
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

f. Authorizing the donation of cash or prizes for the Kids Fishing Day, Jim Beard Memorial, discussion and action item:

Burger moved to donate \$150 of gift certificates to the AK 49 Café – Serving 10. Williams seconded the motion. There was further discussion.

MOTION: Move to donate \$150 of gift certificates (serving 10) to the AK 49 Café
F/S: Burger/Williams
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

11. ORDINANCE FOR PUBLIC HEARING:

a) **Ordinance 19-05-07-01**, amending Title 13 - Utilities, of the Municipal Code is adding Chapter 13.03 – Delinquent Accounts & Securing Collection of Debts, discussion and action item:

McDonald moved to approve Ordinance 19-05-07-01. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 19-05-07-01
F/S: McDonald/Edenfield
YEAS: Carlson, Burger, McDonald, Edenfield, Williams and Minnillo
NAYS: None
STATUS: Motion Passed

12. ORDINANCE FOR INTRODUCTION:

None

13. EXPENDITURES EXCEEDING \$2,000.00:

b) Authorizing an expenditure exceeding \$3,875.00, for purchase of Chemicals needed for the operations of the Sewer Utility, discussion and action item:

McDonald moved to approve the expenditure of \$3,875.00, for Utility treatment chemicals. Burger seconded. McDonald stated the money was already approved in the budget, this was only a courtesy to let the public know of the expenditure. There was no further discussion.

MOTION: Move to approve expenditure exceeding \$3,875.00, for purchase of Chemicals needed for the operations of the Sewer Utility
F/S: McDonald/Burger
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

c) Authorizing the expenditure exceeding \$3,365.00, to Travis Tripple for Clinic Remodel overages, discussion and action item:

McDonald moved to approve the expenditure of \$3,365.00 to Travis Tripple for Clinic. Burger seconded the motion. McDonald explained that the overage was due to items such as a ramp to the Clinic office and a couple of others. There was no further discussion.

MOTION: Move to approve the expenditure of \$3,365.00 to Travis Tripple for Clinic
F/S: McDonald/Burger
YEAS: Carlson, Burger, McDonald, Edenfield, Williams & Minnillo
NAYS: None
STATUS: Motion Passed.

14. EXECUTIVE SESSION:

The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.

None.

15. CONTINUATION OF PUBLIC COMMENT:

Everett Cook commented on the following:

- a. Commented that he was disappointed the Council did not appoint Eric Rhodes to the City Council seat when he had been the only one to comment on the appointment and had attended every city council meeting over the last few months.

Deann Minnillo commented on the following:

- a. Inquired about the Thorne Bay Fisheries Association, requested clarification on the City's role in the association. Explained she had attended a meeting recently and was disappointed in how it was handled, that she had requested to speak during the meeting and was told the public was not allowed to comment.
- b. Requested clarification on the Charter Halibut Permits and the oversight of leasing them to the public. Were the permits given to the City and was it up to the City to make sure they were distributed equitably?
- c. Minnillo concluded that the Fisheries Association Meeting was one of the most contentious meetings she had ever seen, and it was very uncomfortable to watch.

Eric Rhodes commented on the following:

- a. Stated that he agreed with Minnillo's input for the rate of the rental to the Tongass Federal Credit Union (TFCU). Explained that TFCU was not pulling out of Thorne Bay and that it was only a bluff. Rhodes concluded that he did not like the fact the City was stealing from a local business owner by leasing to TFCU.
- b. Commented on the appointment for City Council Seat C and expressed concern that the vote for the appointment was already predetermined. Rhodes stated he had sent an email out to all of the City Council immediately after the seat was vacated. The only email that bounced back to him was McDonald's.

Sean Kaer commented on the following:

- a. Stated that the harbor needed to have more stalls. Commented that he felt like local fisherman were being treated unfairly compared to visitors who come up to use our resources. Stated there were fisherman that had come back to Thorne Bay after months of being out fishing to find their boats had been chained up.

16. CONTINUATION OF COUNCIL COMMENT:

No further council comments.

17. ADJOURNMENT:

McDonald adjourned the meeting at 7:42 p.m.

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, CMC

**CITY OF THORNE BAY
RESOLUTION 19-06-04-01**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, SUPPORTING THE APPLICATION FOR THE USDA RURAL UTILITY SERVICE GRANT (RD-RUS-HECG19) TO PROVIDE POWER TO THE GREENTREE HEIGHTS SUBDIVISION.

WHEREAS, the City Council is the governing body of Thorne Bay, Alaska; and

WHEREAS, the Greentree Heights is a residential subdivision within the City limits of Thorne Bay that is not located within accessible range to connect into the power lines running through the City; and

WHEREAS, property owners within the Greentree Heights Subdivision have worked diligently to pursue options for the installation of power within the Subdivision; and

WHEREAS, the United States Department of Agriculture (USDA) Rural Utility Service Grant, has a grant through the Electric Program: High Energy Cost Grant; and

WHEREAS, the City qualifies for grants to assist communities with extremely high energy costs; and

WHEREAS, the City has supported all efforts of the residents within the Greentree Heights Subdivision to obtain power within the subdivision.

NOW, THEREFORE BE IT RESOLVED, the City Council for the City of Thorne Bay, supports the application of the USDA RD-RUS-HECG19 Grant for the purpose of providing power to the Greentree Heights Subdivision.

BE IT FURTHER RESOLVED, the City Council for the City of Thorne Bay Certifies that it has the legal authority to apply for Federal Assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application;

PASSED AND APPROVED: June 4, 2019

Lee Burger, Vice Mayor

ATTEST:

Teri Feibel, CMC

[Sponsor: Raymond Slayton]

CITY OF THORNE BAY
RESOLUTION 19-06-04-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AUTHORIZING DAVIDSON LANDING TO SERVE AS AN ABSENTEE VOTING LOCATION ON ELECTION DAY FOR THE 2019 GENERAL MUNICIPAL ELECTION

WHEREAS, the City Council is the governing body for the City of Thorne Bay, Alaska; and

WHEREAS, the City of Thorne Bay has one Polling location and one Absentee Voting Location for all Municipal Elections for the Thorne Bay; and

WHEREAS, the City Council approved an absentee voting station on Election Day in the General Municipal Election of October 2015; and

WHEREAS, since 2015, the City Council has had requests from the public to authorize Davidson Landing to serve as an Absentee Voting Station for Municipal Elections; and

WHEREAS, the City Council has researched the options for providing an Absentee Voting Station on Election Day and find that they have the authority to appoint two Absentee Officials to operate the Absentee Voting Station on Election Day who would be responsible for the administration, security and delivery of the absentee ballots cast on Election Day to the City Clerk not later than 9:00 p.m. October 1, 2019; and

WHEREAS, the City Council feels it to be in the best interest of the community to offer Absentee Voting on Election Day for the 2019 General Municipal Election at the Davidson Landing Fire Hall.

NOW THEREFORE, BE IT RESOLVED, the City Council for the City of Thorne Bay, authorizes Absentee Voting to be held on Election Day, October 1, 2019, for the 2019 General Municipal Election, in the South Thorne Bay Davidson Landing Fire Hall. The City Council will advertise and appoint two qualified registered voters of Thorne Bay to serve as the Absentee Officials for the Davidson Landing Absentee Voting Station for the 2019 General Municipal Election.

NOW THEREFORE BE IT RESOLVED, that the City Council for the City of Thorne Bay, Alaska, designates City Hall located at 120 Freeman Drive, Thorne Bay, Alaska 99919, as an Absentee Voting Station prior to Election Day, and Davidson Landing as an Absentee Voting Station on Election Day. The Thorne Bay City Hall Council Chambers located at 120 Freeman Drive, will be the only Official Polling Place for all General and Special Municipal Elections.

PASSED AND APPROVED June 4, 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, CMC

[Sponsor: Mayor McDonald]

**CITY OF THORNE BAY
ORDINANCE 19-06-18-01**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA;
PROVIDING FOR THE ESTABLISHMENT OF THE BUDGET FOR THE CITY OF THORNE BAY,
FISCAL YEAR 2020, JULY 1, 2019 - JUNE 30, 2020, ANTICIPATED REVENUES AND
EXPENDITURES

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA;

Section 1. **Classification.** This is a non-code ordinance.

Section 2. **General Provisions.** The budget documents attached hereto list the authorized appropriations for expenditures, revenues and the change in cash balances as part of the budget for the period *July 1, 2019 to June 30, 2020*, detail anticipated line item revenues and expenditures for each appropriation and make the budget a matter of public record.

Section 3. **Authorization and Appropriation.** The appropriations are adopted and authorized for the period July 1, 2019 to June 30, 2020 and for that period. Subject to council approval by resolution, the Mayor may establish line item expenditures within an authorized appropriation. Subject to council approval by ordinance, the Mayor may transfer from one authorized appropriation to another any amount that would not annually exceed 10 percent or \$10,000, whichever is less.

Section 4. **Effective Date.** This ordinance shall become effective upon

PASSED AND APPROVED: June 18, 2019

ATTEST:

Harvey McDonald, Mayor

Teri Feibel, CMC

[Introduction: June 4, 2019]
[Public Hearing: June 18, 2019]

BUDGET NARRATIVE FY20

COMING SOON – NOT LATER THAN MONDAY, JUNE 3RD, 2019

DRAFT ONLY

BUDGET SUMMARY OF INCOME FOR FY20

COMING SOON – NOT LATER THAN MONDAY, JUNE 3RD, 2019

BUDGET SUMMARY OF EXPENSE FOR FY20

COMING SOON – NOT LATER THAN MONDAY, JUNE 3RD, 2019

DRAFT ONLY